

PATENT
Client/Matter No. 46858.00023

Remarks/Arguments

The office action dated July 25, 2005 (the "Office Action") has been received and carefully noted. Claims 1, 7 and 12 have been amended. Support for the amended claims and the new claims can be found in, for example, FIG. 5. The above amendments to the claims and the following remarks are submitted in response to the Office Action.

Claims 1, 3, 5 and 6 have been rejected by the Examiner under 35 U.S.C. § 103 as being anticipated by U.S. Patent No. 5,624,331 by Lo ("Lo"). Lo is directed to a golf club head which includes at least two (2) openings on the top area with a reinforcing bridge located therebetween, as shown in FIGS. 1, 2. In addition, the composite "cover" in Lo includes multiple pieces 12 and 14 which are inserted into the at least two (2) openings in the top plate which, "when assembled, together define the surfaces of the head." Col. 2, lns. 16-17. In addition, the inserts 12 and 14 rest on ledges 34 which are shown to be located below the top area (metal crown 16), as illustrated in FIG. 5.

In contrast, as defined in amended claim 1, the applicant claims the step of forming a unitary composite cover to fit over at least said top plate to cover said at least one opening. Thus, the composite cover in amended claim 1 fits over and covers the top plate and the at least one opening therein, and is therefore a cover rather than an insert. In addition, the composite cover is unitary and is not comprised of multiple pieces as in Lo. Accordingly, because "a claim is anticipated only if each and every element as set forth in the claim is found . . . in a single prior art reference" (MPEP 2131), Applicant respectfully submits that independent claim 1 and its respective dependent claims 3, 5 and 6 are patentable and allowable over the Lo reference.

Claim 2 has been rejected by the Examiner under 35 U.S.C. § 103(a) as being obvious over Lo in view of U.S. Patent No. 6,183,377 by Liang ("Liang") in further view of U.S. Patent No. 5,997,415 by Wood ("Wood"). In the Office Action, the Examiner notes that the golf club heads in Liang and Wood have plural openings in the sole plate. However, the Applicant notes that in Liang, there is no indication that the sole plate has plural openings or has a composite cover; rather, the golf club head 4 in Liang is one solid unit formed from a plurality of plates. Col. 2, lns. 32-38. Additionally, although the golf head in Wood may include multiple openings in the sole plate, the composite "cover" in Wood is comprised of multiple pieces 316, 318 and 320 which are "integrated with the substantially open top 302" and

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"integrated with sole plate 314," respectively. Col. 4, lns. 49-56. Together, the cited references do not teach or suggest the claim limitation of "a unitary composite cover to fit over at least said top plate to cover said at least one opening." Accordingly, Applicant respectfully submits that dependent claim 2 is patentable and allowable over the references.

Claims 4, 7 and 9-11 have been rejected by the Examiner under 35 U.S.C. § 103(a) as being obvious over Lo in view of U.S. Patent No. 5,776,011 by Su ("Su"). The golf club head in Su is comprised of a number of component parts affixed together. Col. 3, lns. 40-43. The golf head in Su, however, does not include any openings in the top portion or sole portion thereof as shown in FIGS. 1 and 2. Moreover, the golf club head in Su includes "three distinct stamped pieces" and does not include the claim limitation of "a unitary composite cover to fit over . . . at least a portion of the metallic assembly thereof." In addition, the Applicant notes that FIG. 4 of the golf head in Lo depicts a metal stiffener 30 which is part of the metal crown 16, and not part of the "composite cover" as discussed at Col. 2, ln. 34. As noted previously, the composite "cover" in Lo includes multiple pieces 12 and 14 which are inserted into the at least two (2) openings in the top plate, form part of the top of the golf club head itself. Thus, together, the cited references do not teach or suggest the claim limitation of "a unitary composite cover to fit over at least said top plate to cover said at least one opening." Accordingly, Applicant respectfully submits that independent claim 7 and dependent claims 4 and 9-11 are patentable and allowable over the references.

Claim 8 has been rejected by the Examiner under 35 U.S.C. § 103(a) as being obvious over Lo in view of Su, Liang and Wood. Applicant notes that none of the golf club heads in any of these references includes the claim limitation of "a unitary composite cover fitting over at least said top plate." Thus, together, Lo in view of Su, Liang and Wood do not teach or suggest the limitations in independent amended claims 1 and 7 and their respective dependent claims. Accordingly, Applicant respectfully submits that dependent claim 8 is patentable and allowable over the references.

Claims 12, 15 and 16 have been rejected by the Examiner under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Appn. No. 2003/0125127 to Nakahara et al. ("Nakahara"). Applicant respectfully notes that, in Nakahara, FIGS. 2A-2C illustrate a golf head with one hole X1; FIGS. 3A-3L illustrate a golf head with one hole X1; and FIGS. 4A-4B illustrate a golf head with two holes X1 in the top plate only. FIGS. 2A-2C; 3A-3L; 4A-4B. In contrast, amended claim 12 includes "a metallic

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assembly . . . including at least one opening in the top plate and at least one opening in an upward extending portion of the sole plate." Thus, none of the above-described figures includes two holes, one of which is in the top plate and one of which is in the sole plate. Furthermore, Applicant respectfully notes that the neck 1 illustrated in the golf head of Nakahara is analogous to the hosel 30 in Applicant's invention and is not considered to be part of the sole 3 in Nakahara or the sole plate 20 in Applicant's invention, as evidenced by the separate numbering thereof. Applicant further respectfully notes that although FIGS. 5A-5B and FIGS. 8A-8C in Nakahara include a golf head with one hole in the sole 3 and one hole in the crown 4, the golf heads include two plastics covering the holes ("sole and crown portions 3 and 4 . . . made of fiber reinforced plastics") or two "hole parts" covering the holes. ¶ 024, 028. The golf head clubs illustrated in the above-described figures Nakahara do not include the claim limitation of amended claim 1 of "a unitary composite cover substantially covering the top plate and the upward extending portion of the sole plate." Moreover, FIGS. 7A-7C illustrate a golf head substantially made of "fiber reinforced plastics." ¶ 26. There is no indication of a "metal assembly" or any openings thereof with respect to these embodiments in Nakahara, in contrast to the claim limitations set forth in amended claim 12. Accordingly, because "a claim is anticipated only if each and every element as set forth in the claim is found . . . in a single prior art reference" (MPEP 2131), Applicant respectfully submits that independent claim 12 and its respective dependent claims 15 and 16 are patentable and allowable over the Nakahara reference.

Claims 13 and 14 have been rejected by the Examiner under 35 U.S.C. § 103(a) as being obvious over Nakahara in view of Su. As explained in detail above, Applicant respectfully submits that Nakahara does not anticipate the Applicant's invention. That is, the novel configuration of at least one hole in the top plate and the sole plate combined with a unitary composite cover covering these plates in the golf head in Applicant's invention is not anticipated by Nakahara. Moreover, as stated previously, the golf head in Su does not include any openings in the top portion or sole portion thereof as shown in FIGS. 1 and 2. Moreover, the golf club head in Su includes "three distinct stamped pieces" and does not include the claim limitation of "a unitary composite cover to fit over . . . at least a portion of the metallic assembly thereof." Thus, together, Nakahara in view of Su do not teach or suggest the limitations in independent amended claim 12 and its respective dependent claims. Accordingly, Applicant respectfully submits that dependent claims 13 and 4 are patentable and allowable over the references.

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If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call Applicant's undersigned representative at (213) 689-5148 to discuss the steps necessary for placing the application in condition for allowance.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853. Should such additional fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefore.

Respectfully submitted,

Shelley M. Cobos, Reg. No. 56,174
Attorney for Applicant

Squire, Sanders & Dempsey, LLP
801 South Figueroa, 14th Floor
Los Angeles, CA 90017
Telephone: (213) 689-5148
Facsimile: (213) 623-4581

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